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CENTRAL FAX CENTERTYCO 18104 (SPLG 20958-62)
PATENT

SEP 27 2006

Remarks

Claims 1-22 are now pending in this application. It is respectfully submitted that the pending claims define allowable subject matter.

Claims 1-5, 7, 8, and 10-16 are rejected under 35 U.S.C. § 103(a) as being anticipated by Maue (U.S. Patent No. 5,995,380) in view of Cornell (U.S. Patent No. 6,424,520) and further in view of Risko (U.S. Patent No. 5,386,084). Claim 6 is rejected under 35 U.S.C. § 103(a) as being anticipated by Maue in view of Cornell and Risko and further in view of Jarry (U.S. Patent No. 6,536,046). Claim 9 is rejected under 35 U.S.C. § 103(a) as being anticipated by Maue in view of Cornell and Risko and further in view of De Waal (U.S. Patent No. D361,059). Claims 17-22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Maue in view of Cornell and Risko and further in view of Saka (U.S. Patent No. 5,532,431). The rejections are traversed for the reasons set forth hereinafter.

Applicants note the following with respect to the law of obviousness. As explained by the Federal Circuit, "to establish obviousness based on a combination of the elements disclosed in the prior art, there must be some motivation, suggestion or teaching of the desirability of making the specific combination that was made by the applicant." In re Kotzab, 54 USPQ2d 1308, 1316 (Fed. Cir. 2000). "It is impermissible . . . to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art." In re Wesslau, 147 USPQ 391, 393 (CCPA 1965). See also, Smithkline Diagnostics, Inc. v. Helena Laboratories, Corp., 8 USPQ2d 1468, 1475 (Fed. Cir. 1988) ("claims, entire prior art, and prior art patents must be read 'as a whole'"). If art "teaches away" from a claimed invention, such a teaching supports the nonobviousness of the invention. U.S. v. Adams, 148 USPQ 479 (1966); Gillette Co. v. S.C. Johnson & Son, Inc., 16 USPQ2d 1923, 1927 (Fed. Cir. 1990).

In light of the above standard of obviousness, it is respectfully submitted that the cited art, for the reasons set forth below, does not support the present rejection of the claims.

Claim 1 recites an electronic module having, among other things, connectors coupled to a circuit board and accessible within openings extending through a first surface of a housing, and

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an insulative fuse door sealingly engaged to a second surface of a housing. The fuse door is positionable with respect to the housing to provide access to a fuse from an exterior of the housing. The fuse door provides a moisture-proof barrier when in a closed position, thereby protecting the at least one circuit board when the housing is located in an exterior location for ready serviceability of the module by replacement of the fuse. As clearly recited in claim 1, the electronic module includes connectors accessible through the first surface of the housing and a fuse accessible through a fuse door on the opposed second surface of the housing.

Maue does not teach any such structure. The Office Action concedes that Maue does not disclose an insulative fuse door sealingly engaged to a second surface of a housing and positionable with respect to the housing to provide access to a fuse from an exterior of the housing. In fact, Maue describes a junction box (11) having harness connectors (27) and a hinged plastic cover (45) that are on the same side of the box. Thus, the cover (45) does not meet the recited fuse door of claim 1 that is engaged to a second surface of the connector housing opposing the exposed connectors. The lower housing (43) of Maue that is situated opposite the upper housing (41) does not define a surface to which a fuse door is sealingly engaged. Accordingly, Maue does not describe the claimed electronic module of claim 1.

Applicants further submit that Maue does not provide any motivation to modify Maue's lower housing (43) to include the claimed fuse door to provide access to Maue's fuses (17). In fact, Applicants submit that Maue actually teaches away from providing a fuse door in Maue's lower housing (43) to provide access to the fuses (17). For example, Maue describes a circuit board (51) disposed between the upper and lower housings (41 and 43), and multiple circuits (65) disposed along the bottom surface of the lower housing (43). The circuit board (51) is sized to completely fill the space between the housings (41 and 43), thus restricting access from the lower housing (43) to the surface of the upper housing (41) having the fuses (17). Reconstructing Maue's junction box (11) to include Cornell's snap-in cover (14) and Cornell's access patch (16) in Maue's lower housing (43), as suggested by the Examiner, would make Maue's junction box (11) inoperative and completely destroy the teachings of Maue. Applicants submit that such a reconstruction and combination would be improper.

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Furthermore, for reasons of record, Applicants submit that combining Risko with the cited art is also improper. For example, the combination of references relating to different types of devices (hand held device of Risko versus automotive junction boxes Maue and Cornell) for different operating environments (hand held outdoor use for the Risko device versus devices mounted to vehicle interiors of Maue and Cornell) and having different servicablility needs (battery replacement for the Risko device versus fuse replacement for the Maue and the Cornell devices) does not appear to grounded in any actual teaching of the references themselves, but rather appears to be an impermissible attempt to selectively apply teachings of isolated prior art patents to reconstruct the invention with hindsight using the teaching of the present application as a template to piece the teachings of the references together. Applicants remind the Examiner that the motivation to combine must be found in the prior art, and in light of the above differences in the disclosures of the cited references, no perceptible motivation to combine the teaching of the cited art in the manner proposed in the Office Action is found in the teaching of the references. For at least the reasons set forth above, Applicants submit that claim 1 is patentable over the cited art.

Claims 2-5, 7 and 8 depend from claim 1, and when the recitations of claims 2-5, 7 and 8 are considered in combination with the recitations of claim 1, claims 2-5, 7 and 8 are likewise submitted to be patentable over the cited art.

Turning to the rejection of claim 6, claim 6 depends from claim 1, which for the reasons set forth above is submitted to be patentable over Maue et al and Cornell in view of Risko. Jarry does not cure the deficiencies of Maue, Cornell and Risko with respect to the invention of claim 1. More specifically, Jarry does not relate to a fuse door, does not address sealing issues, and is clearly unsuitable for use in exterior locations. The Jarry box (14) has a front plate (21) with a central opening (22) through which passes a part of a device mechanism. The Jarry box is not moisture proof. Clearly, the opening (22) exposes the mechanism and the interior of the box, and the Jarry box is therefore not suitable for exterior locations subject to the elements.

Turning to the rejection of claim 9, claim 9 depends from claim 1, which for the reasons set forth above is submitted to be patentable over Maue in view of Cornell and Risko. De Waal. does not cure the deficiencies of Maue, Cornell and Risko with respect to the invention of claim

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1. More specifically, De Waal does not relate to a fuse door and discloses no sealing features in the outlet box cover illustrated in the Figures. Accordingly, there is no indication in the Figures that the De Waal outlet box cover is suitable for exterior locations subject to the elements, and there is no apparent link between the De Waal disclosure of the outlet box cover and the electronic module of the present invention.

Claim 10 recites, among other recitations, an insulative fuse door sealingly engaged to said housing beneath the connector receptacles to provide a moisture proof barrier at the exterior location, said fuse door being positionable to provide access to said fuse from an exterior of said housing. For the reasons set forth above, the cited art is not suggestive of the fuse door recited in claim 10, together with the other recitations of the claim. Claim 10 is therefore submitted to be patentable over the cited art.

Claims 11-16 depend from claim 10, and when the recitations of claims 11-16 are considered in combination with the recitations of claim 10, claims 11-16 are likewise submitted to be patentable over the cited art.

Turning to the rejection of claims 17-18, claims 17-18 depend from claim 10 that is submitted to be patentable over Maue in view of Cornell and Risko for the reasons set forth above. Saka does not cure the deficiencies of Maue, Cornell and Risko with respect to the invention of claim 1. Specifically, Saka disclose a sealed connector box, but do not disclose a fuse door sealingly engaged to a housing. Applicants note that the housing and the fuse door are separately recited in claim 10, and none of the cited references (Maue, Cornell, Risko or Saka) disclose structures having a housing *and* a fuse door, together with the other recitations of claim 10. When the recitations of claims 17-18 are considered in combination with the recitations of claim 10, claims 17-18 are likewise submitted to be patentable over the cited art.

Turning to the rejection of claim 19, claim 19 likewise recites, among other recitations, a housing having a cover portion and "an insulative fuse door removably engaged to a lower surface of said cover portion, said fuse door having a seal providing a moisture proof barrier when said fuse door is attached to said housing." Maue in view of Cornell and Risko and further in view of Saka fail to disclose structures having a housing *and* a fuse door, together with the

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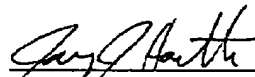
other recitations of claim 19. Thus, the references collectively fail to teach at least a fuse door having a seal providing a moisture proof barrier as claim 19 recites. Claim 19 is therefore submitted to be patentable over the cited art.

Claims 20-22 depend from claim 19. When the recitations of claims 20-22 are considered in combination with the recitations of claim 10, claims 17-18 are likewise submitted to be patentable over the cited art.

For the reasons set forth above, Applicants respectfully request that the Section 103 rejection of claims 1-22 be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



Jay J. Hoette, Reg. No.: 50,666
THE SMALL PATENT LAW GROUP, LLP
611 Olive Street, Suite 1611
St. Louis, Missouri 63101
(314) 584-4080